



DEPARTMENT OF THE ARMY  
HEADQUARTERS, MILITARY TRAFFIC MANAGEMENT COMMAND  
200 STOVALL STREET HOFFMAN BUILDING B  
ALEXANDRIA VA 22332-5000



21 AUG 2001

Joint Traffic Management Office

SUBJECT: Guaranteed Traffic from Defense Fuel Support Point (DFSP), Craney Island, Virginia, to United States Coast Guard Air Station, (CGAS), Elizabeth City, North Carolina (NIF-02-001-DF)

Dear Sir/Madam:

The Department of Defense (DOD) is interested in allocating traffic for truckload (TL) requirements to Military Traffic Management Command (MTMC) qualified carriers, for the period November 1, 2001, through October 31, 2002. All offers in response to the requirements of this solicitation are subject to the provisions contained in the MTMC Guaranteed Traffic Rules Publication (MGTRP) No. 50. If you need a copy of the publication, please visit our website <http://www.mtmc.army.mil>. Then, in succession, click on Transportation Topics, Cargo/Freight Topics, Freight Traffic Rules Publications, and MGTRP 50 to view the publication.

Effective May 1, 2000, a change was made to MGTRP No. 50, Item 715, Computation of Freight Charges. As a result of this change, freight charges paid under this solicitation will be computed on the net volume of jet fuel loaded in the carrier's vehicle. Net volume is volume corrected to 60 degrees Fahrenheit. Carriers should consider this change when submitting their rates. For your convenience, revised Item 715 may be found in Enclosure 5.

The DOD is in the process of converting from Government Bills of Lading to Commercial Bills of Lading and an electronic payment process utilizing PowerTrack. This new system will greatly speed up the payment process to carriers and provide DOD with an accurate transaction tracking system. PowerTrack is fully EDI compatible and can be operated through the Internet. Additional information on how to acquire this new system is provided in Enclosure 1. Carriers bidding on this traffic must be PowerTrack capable prior to being awarded traffic under this solicitation.

This letter contains a new requirement for carriers to be registered in the Central Contractor Registration (CCR) prior to being awarded traffic under this solicitation. Please refer to Enclosure 1 for more information.

Certain freight, which may qualify as rail movements in the future, will not be considered as part of this tonnage allocation. DOD reserves the option to use rail as it determines feasible.

Commodity (ies): Fuel, Aviation, Turbine Engine, Flammable Liquid, UN 1863 (JP-5), (DOD Unique Code 999930, Sub 09).

The following information is shown as enclosures to this solicitation:

- a. Carrier Prequalification (Enclosure 1).
- b. Shipper Requirements/Equipment/Operations (Enclosure 2).
- c. Origin(s) and Destination(s) and/or Region(s) (Enclosure 3).
- d. List of Major Destination(s) with or without Weight/Shipment Information (Enclosure 4).
- e. Method of Evaluation (Enclosure 5).
- f. Submission/Tender Completion Instructions (Enclosure 6).
- g. Problems in Tender Filings (Carrier's responsibility for tender filings).  
**HANDWRITTEN OR ILLEGIBLY TYPED SUBMISSIONS ARE NO LONGER ACCEPTABLE (Enclosure 7).**
- h. Tender(s) (Enclosure 8).
- i. Certificate of Independent Pricing (Carrier must submit one signed copy to be responsive) (Enclosure 9).

Traffic will be granted for the period involved to the responsible carrier presenting the most favorable total cost UNDER THE GUARANTEED TRAFFIC PROGRAM and whose tender conforms to this solicitation including the enclosed standard tender. The Government reserves the right to reject any or all tendered charges and to waive minor irregularities. The Government reserves the right to extend the effective allocation period with the primary carrier, if the carrier is agreeable, until such time that the traffic is resolicited. If a primary carrier declines to extend, the first alternate carrier shall be given the opportunity to become the primary carrier for the extension period.

Carriers interested in this traffic must submit two original signed copies of each applicable tender to arrive at the following address by 2 p.m., eastern time (e.t.) on October 9, 2001:

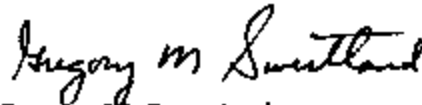
Headquarters, Military Traffic Management Command  
ATTN: MTOP-JGB (Mr. Drake Farley)  
Room 10N07  
200 Stovall Street  
Alexandria, Virginia 22332-5000

File: NIF-02-001-DF (Carriers must show their Standard Carrier Alpha Code (SCAC) next to the file number).

Submissions received after 2 p.m. e.t. will be returned and not considered. Faxed bids are not acceptable and will be returned as nonresponsive. Carriers are advised that an opening will be held on October 9, 2001, starting at 2 p.m. e.t., at the above address. In the event this is declared a non-business day, the same condition will apply to the next business day.

Point of contact is Mr. Drake Farley, MTOP-JGB, (703) 428-2215, Fax Number, (703) 428-3412, e-mail address, farleyd@mtmc.army.mil.

Sincerely,



Gregory M. Sweetland  
Chief, Joint Traffic Management Office

Enclosures

## CARRIER QUALIFICATION

Headquarters (HQ), MTMC, requires all carriers be approved under the Carrier Qualification Program (CQP) by the solicitation award date. Commodities offered in the solicitation as FAK may include hazardous materials. Therefore, carriers must have a Hazardous Material Agreement on file with HQMTMC by the award date. Carriers desiring further information regarding the CQP should contact Ms. Cynthia Perkins at (757) 878-7432.

Any specific question regarding operating authority, hazardous materials certificates, or any other licensing issues should be directed to the appropriate federal or state regulatory agency.

In addition to being approved under the CQP, carriers must have a Satisfactory safety rating issued by the Federal Motor Carrier Safety Administration prior to the solicitation award date.

### PowerTrack Software

PowerTrack is an automated on-line payment processing, and transaction tracking system that supports logistical transactions. It consists of five primary functions: (1) electronic data transmission, (2) payment approval process, (3) electronic payment and billing, (4) communication for dispute resolution, and (5) customized data analysis.

More information can be obtained by accessing the U.S. Bank website address at [www.usbank.com/powertrack](http://www.usbank.com/powertrack). To arrange for PowerTrack capability, carrier should contact Mr. Lee DeNoyer, U.S. Bank, (815) 784-8421.

### Central Contractor Registration (CCR)

The purpose of the CCR is to facilitate registration by a commercial company as a trading partner with the Department of Defense. Carriers must be registered in the CCR prior to being awarded traffic under this solicitation.

Carriers with internet capability may obtain documentation to register by accessing the MTMC Website at <http://www.mtmc.army.mil>. Then carriers should click on Transportation Topics followed by Cargo/Freight Topics and Central Contract Registration (CCR) to arrive at the page with CCR information. This page will link to the CCR website. Alternatively, you can go directly to the CCR Website at <http://ccr.edi.disa.mil>. Carriers without internet capability should contact the CCR Assistance Center at (888) 227-2423.

## SHIPPER REQUIREMENTS/EQUIPMENT/OPERATIONS

### SHIPPER REQUIRES CARRIER TO:

a. Provide tractor/trailer combinations. Provide bottom loading, vapor recovery trailers with certified calibration markers. Shipper's loading rack is equipped with a J451 high level cut off and has a 7 pin Scully adapter. Trailers must be equipped with a Scully system or Scully compatible system with automatic grounding knobs and a top hatch for each compartment. Shipper will accept only steam cleaned and dried trailers, or trailers which last moved compatible products i.e., clean undyed distillates, kerosene (K-1) or commercial turbine engine fuel such as kerosene or turbine fuel. Trailers must be equipped with a 20 foot offloading hose and have fitting to adapt to a 6-inch female quick disconnect for offloading. Vehicles should be staggered for offloading to accommodate unloading capabilities. Pump must be provided if requested.

b. Present tank trailers for loading and unloading at specified times.

c. Deliver each tank trailer to its destination with Government seals intact. Tank trailers will be adequately equipped for sealing of all cargo tank openings used for loading, unloading, and vapor recovery adapters and outlets. Where possible, carriers will ensure each sealed location requires only a single seal to prevent opening.

d. Successful carrier is responsible for all cleaning related expenses related to equipment furnished to meet the weekly requirements as stated in this solicitation. Additional cleaning which becomes necessary due to minor surges in requirements is also the carrier's responsibility.

e. Provide weekend, holiday, and/or after business hours service as requested at no additional charge.

f. Provide same day delivery. If any unforeseen circumstances prevent delivery, notification must be provided to Mr. Fred Belcher, Defense Energy Support Center-Fort Dix, New Jersey, (609) 562-6280.

### SHIPPER/CONSIGNEE WILL:

a. Prepare shipping documents.

b. Load/Unload carrier's tank trailers.

c. Apply numbered U.S. Government seals to carrier's tank trailers.

## **SHIPPER OPERATIONS:**

### **Loading Hours:**

Monday through Friday, 8:00 a.m. to 5:00 p.m. Shipper will schedule carrier equipment at least 24 hours in advance whenever possible. Any departure by the carrier from the shipper's orders will be considered an operational convenience of the carrier and no detention charges will accrue. Shipper personnel will load tank trailers. Tank trailers will be loaded for same day delivery.

### **Unloading Hours:**

Monday through Friday, 8:00 a.m. to 3:30 p.m. Base personnel and driver will unload tank trailers. One tank trailers can be unloaded at a time.

If a carrier presents more trailers for unloading than the activity can receive or unload simultaneously, this will be considered an operational convenience of the carrier and no detention charges will accrue. Routine hours will be adhered to, and units arriving after the specified time will not be unloaded except by mutual agreement.

Carriers are cautioned loading and unloading times will not be altered for any reason unless prior approval is received from the shipper. While carriers may perform turnaround movements whenever possible, rates should not be constructed on the basis that the consignor/consignee would change scheduled loading/unloading time to accommodate turnaround movements.

## **DRIVER/CAB REQUIREMENTS:**

Carriers awarded traffic are required to carry the latest edition of the DOT Emergency Response Guidebook in the cab of every vehicle. The driver must provide his/her commercial drivers' license when requested by origin, destination, or stop-off personnel.

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ORIGIN (S) AND DESTINATION (S) AND/OR REGION (S)

Origin(s): DFSP, Craney Island, Virginia, Standard Point Location Code (SPLC) 261100296.

Destination(s): CGAS, Elizabeth City, North Carolina, SPLC 401655260.

ENCL 3

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LIST OF MAJOR DESTINATION(S)  
WITH OR WITHOUT WEIGHT/SHIPMENT INFORMATION

<u>TYPE OF EQUIPMENT/MODE</u>	<u>DESTINATION STATE</u>	<u>DESTINATION CITY</u>	<u>ESTIMATED TOTAL WEIGHT/SHIPMENT INFORMATION</u>
Tractor/trailer Combination, AT1, AT2/B	North Carolina	Elizabeth City	1.6 Million Gallons

Shipping Data:

- a. Estimated highway mileage: 52 miles.
- b. Average load per trailer: 7,200 gallons.
- c. Estimated truckloads per week: 4 – 5.

The carrier selected will be expected to meet weekly requirements to the extent estimated above, and its performance will be evaluated on that basis. If a carrier agrees to handle requirements in excess of those estimated above, all performance requirements must be met in order for service to be considered satisfactory.

If the selected carrier cannot fully handle any requirement, or in the event of emergency or surge requirements, the Government reserves the right to use alternate carriers.

Weekend or holiday service may be required during the award period. Therefore, the selected carrier must be prepared to deliver fuel 7 days per week, if required. When the Government requires pickups and/or deliveries at times other than those stipulated above, the carrier will provide such services at no additional charge.



### METHOD OF EVALUATION

Rates submitted will be evaluated and award(s) will be made UNDER THE GUARANTEED TRAFFIC PROGRAM to the low cost responsive, responsible carrier(s) whose tender(s) conforms to the solicitation. VOLUNTARY TENDER RATES AND TENDERS NEGOTIATED BY THE DEPLOYMENT SUPPORT COMMAND WILL NOT BE CONSIDERED WHEN AWARDING TRAFFIC UNDER THE GUARANTEED TRAFFIC PROCESS.

Evaluations will be based on the factors shown below. These factors represent the Government's best estimates as to its requirements. However, they are not a guarantee of volume. Therefore, variations in these numbers shall not be the basis for price adjustments.

Per gallon (PG) charge to Elizabeth City, NC x 1.6 million gallons = Total Cost.

If tendered charges result in equally low costs and are equal in all other respects, a drawing will be held to resolve the tie.

The Chief, Joint Traffic Management Office, by 30 days written notice, may terminate a GT agreement, in whole or in part, when it is in the Government's interest. If the GT agreement is terminated, the Department of Defense shipper or entity responsible for the movement of the shipment, shall be liable only for payment for shipments tendered before the effective date of the termination.

Following is revised Item 715 to MGTRP No. 50 which is in effect for charges paid under this solicitation:

### COMPUTATION OF FREIGHT CHARGES

1. Except as provided in paragraph 2, freight charges in DOD tenders governed by this publication will be the greater of:

a. The amount computed by multiplying the carrier's rate by the minimum gallonage stated in the carrier's applicable tender, or

b. The amount computed by multiplying the carrier's rate by the temperature-corrected gallonage placed in the vehicle at the time of loading. Temperature-corrected gallonage is defined as the volume correction to gallons at 60 degrees Fahrenheit (sometimes referred to as "net volume") and will be determined by loading facility through either the use of temperature-compensating meters or by manual conversion in accordance with the appropriate tables in the most recent edition of the API Manual of Petroleum Measurement Standards (MPMS)."

2. Exception: See ITEM 740, MINIMUM GALLONS/LOADS

ENCL 5

## SUBMISSION/TENDER COMPLETION INSTRUCTIONS

### SUBMISSION INSTRUCTIONS:

DOD's actual requirements for transportation services under this solicitation will be allocated to the responsive, responsible carrier(s) whose tender(s) are the most advantageous to the DOD. Carriers interested in this traffic are requested to submit a charge stated in cents PG in Section I (e), Matrix #2 - Single Rate Per Minimum of the enclosed tender (Enclosure 8). Charges should include all tolls. Carriers are also required to complete Section A, Items 1, 2, 3, 4, and 12; and the Certification of Independent Pricing (CIP) (Enclosure 9). If the CIP is not filled out and returned with tender submissions, a carrier will be considered nonresponsive. These items must be typewritten. Tenders are to be numbered within the 600,000 series, i.e., 600,000 through 699,999, and need not be numbered consecutively.

Before submitting tenders, carriers should carefully read all provisions and complete all items properly. Failure to do so may render your submission nonresponsive and eliminate it from further consideration. Do not change or alter any of the tender format provisions, nor make any statement in your transmittal letter that alters any of the tender provisions. To protect the integrity of your submission, carriers are requested not to submit tenders to the ICC and/or the applicable state regulatory agency until after the submission opening date.

Only Carriers capable of providing responsive, responsible service should tender charges. Responding carriers should be able to demonstrate the ability to perform effectively under their stated charges. The carrier must have the capability to provide backup support to meet the stated requirements in case of equipment breakdown, personnel failure, or other unexpected circumstances. Carriers having previously done business with the Government will be required, at the Government's option, to verify the equipment to be dedicated to this movement. These carriers should be aware that, if selected for this traffic, the appropriate Defense Fuel Region Office must be advised of any changes to the carrier's listing of equipment available for other movements.

Carriers who have not previously done business with the Government should be prepared, if selected for this traffic, to submit a listing of the equipment, power units, and tank trailers, to be dedicated to this movement. Equipment must be specifically identified, i.e., type of equipment, capacity, serial number, and registration number. These carriers are advised to contact Mr. Fred Belcher, Defense Energy Support Center-Fort Dix, NJ at (609) 562-6280, prior to submitting a tender, for the minimum quality assurance requirements necessary to transport DOD fuel traffic. Determination of suitability of carrier's equipment will remain with the Government.

TL Tender Preparation Instructions  
(MT Form 364-R)  
(Only Complete Items Shown)

<u>Block Number.</u>	<u>Instructions</u>
<b>Section A</b>	
1	Carrier name, SCAC, and address.
2	Carrier telephone number to contact for service.
3	Enter the single character code from the following list that describes the mode of service offered:  Truck.....B Surface Freight Forwarders.....N Shipper Association.....P Shipper Agent.....Q
4	Use any 600,000 series tender number, numerical sequence not required by MTMC. However, the tender number cannot duplicate the number of tenders previously submitted.
12	U.S. Department of Transportation (DOT), and/or intrastate operating authority/certificate number as applicable. If exempt, enter the word "EXEMPT".
<b>Section C</b>	
	a. Issuing carrier name.
	b. Name of person and telephone number to contact regarding tender submission.
	c. Signature of company official, authorized to submit rates with printed or typed name, address, and telephone number.
<b>Section J</b>	
	Carrier <u>MUST</u> complete:
	a. PG rates in space provided in Item J (e), Matrix #2 - Single Rate Per Minimum, Column (1), to the right of the dollar symbol.
	b. PG rates must be typed using black ink.
<b>All Sections</b>	
	Carrier <u>MUST</u> complete:
	SCAC and tender number in upper right hand corner.

All submissions must include the following:

Two original signature copies of the rate tender with a copy of the CIP  
(Enclosure 9) for each tender.

## PROBLEMS IN TENDER FILINGS

1. Authority. As indicated in the solicitation, the Chief, Joint Traffic Management Office (JTMO) Services retains the authority to reject and correct mistakes in rate tender filings.

### 2. Procedures for Filing Tenders.

#### a. General.

(1) Carriers are solely responsible to ensure tender submissions are legible and typed. Handwritten or illegibly typed submissions or submissions having typed strikeouts will be returned as being nonresponsive.

(2) If a rate(s), if applicable, is omitted, the tender submission will be returned as being nonresponsive.

(3) If a minimum charge(s), if applicable, is omitted, the tender submission will be returned as being nonresponsive. If a carrier does not want to make a minimum charge, if applicable, that carrier must insert a "0". Tender submission will be returned as being nonresponsive for failure of carrier to insert a "0".

(4) Tenders containing material alterations shall be rejected as nonresponsive and shall be returned to the carrier.

(5) Faxed bids are not acceptable and will be returned as nonresponsive.

b. Carrier Responsibility for Tender Filings. Carriers are solely responsible for the proper preparation, accuracy, and timely submission of their tenders. Carriers are responsible for establishing quality control procedures that will include review of tenders prior to their submission to HQMTMC. Tenders found to contain errors such as typographical may be granted relief based on justification in support of alleged errors.

c. Administrative Errors. Administrative errors which can be corrected include, but are not limited to, mistakes in the following:

- (1) Carrier street address and Standard Carrier Alpha Code.
- (2) Carrier telephone number.
- (3) Mode, if applicable.

(4) Tender number or series.

(5) Department of Transportation, and/or intrastate operating authority certificate number.

(6) Typed name of company official authorized to submit rates, address, and telephone number. Tender submission will be returned as being nonresponsive for failure of a carrier to sign its tender.

(7) Tender and rate sheet not corresponding that can be evaluated on an equal basis with other carriers. If a rate sheet varies the material terms (e.g., change in rate qualifier, mileage groups, or minimum weights) of the solicitation so that the rates cannot be evaluated on an equal basis with other carriers, the tender submission will be returned as being nonresponsive.

(8) Failure to submit the required number of original signature copies of the rate tender.

(9) Failure of the carrier to submit a properly signed and executed Certificate of Independent Pricing with tender submission.

### 3. Mistakes in Rate Filing Procedures (MIRF).

#### a. General.

(1) Carriers discovering a mistake(s) before bid closing time can correct such mistake(s) by submission of a new tender prior to closing. The last tender received before closing governs. Identification of a rate error(s) in a bid submission after opening may be initiated by either HQMTMC or in writing by the carrier. After opening, carriers may either withdraw or seek to correct rate error(s).

(2) Correction is allowed for clerical error(s) where the intended rate is obvious from the bid submission itself, as in the case of misplaced decimal.

(3) Correction is allowed in other cases (except in the case of a downward correction which would displace a low bidder) only if the carrier proves the mistake and the rate actually intended by providing HQMTMC (MTOB-JGB) clear and convincing written evidence. If the evidence supports the existence of the mistake, but not the rate actually intended, the carrier will be permitted to withdraw its tender (or MTMC will reject it). Carriers must submit evidence to arrive HQMTMC (MTOB-JGB) within a reasonable time after notification by MTMC of a suspected mistake.

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(4) Where a downward correction would displace a low bidder, it is permitted only if the mistake and the intended rate can be determined from the solicitation and the tender itself.

b. Evidence. The following evidence must, at a minimum, be submitted by the carrier when the carrier seeks to correct a mistake in rate other than a clerical error(s):

(1) Original source documents pertinent to the error, including, but not limited to, working papers, spread sheets, transcription sheets, adding machine tapes, tariffs, cost data sheets, memorandum for records, written procedural guidance on determining rate levels, internal rate printouts, and other such papers which will provide a clear audit trail for tracing the mistake.

(2) Other documents deemed by the carrier to be relevant to error validation can also be used as evidence.

(3) To protect their interests, carriers are encouraged to retain original source data until it is certain that no further use for it exists.

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DEPARTMENT OF DEFENSE STANDARD TENDER OF FREIGHT SERVICES Territorial Description: <u>DPSP CRANEY ISL., VA, TO CGAS ELIZABETH CITY, NC</u> Solicitation ID: <u>005439</u> Tender ID: <u>0001</u> Amendment Number: _____ Distribution Number: _____ Date: <u>/ /</u> SHO: _____		OMB 0704-0261  Expires 07/31/95
<b>SECTION A. CARRIER INFORMATION</b>		
→ 1. ISSUING CARRIER: _____ SCAC: _____  STREET ADDRESS: _____  CITY: _____ STATE: _____ ZIP CODE: _____		
→ 2. TO ARRANGE MOVES, TELEPHONE: _____ → 3. MODE: _____		
→ 4. TENDER NUMBER: _____ SUPPLEMENT: _____		5. SUPPLEMENT IN EFFECT: _____
6. CANCELS: _____		
7. IF THIS IS A SUPPLEMENT, USE "X" TO NOTE ITS EFFECT    ADD: _____ DELETE: _____ INCREASE: _____ DECREASE: _____ CHANGE: _____ NATURE OF CHANGE: _____		
8. ISSUE DATE: <u>011009</u> 9. EFFECTIVE DATE: <u>011101</u> 10. EXPIRATION DATE: <u>021031</u> YY MM DD                      YY MM DD                      YY MM DD		
11. APPLICATION:    X    INTERSTATE    _____ INTRASTATE		
→ 12. OPERATING AUTHORITY: _____		
13. TYPE EQUIPMENT OFFERED:    AT1    AF2    _____		
14. COMMODITIES:    CLASSIFICATION USED:    _____ RMFC    UYC    X    DOB UNIQUE		
<u>NUMBER</u> <u>99993009</u> _____ _____ _____ _____	<u>DESCRIPTION</u> <u>TURBINE FUEL, AVIATION, JF-5, CARGO LIABILITY AS DESCRIBED IMMEDIATELY</u> <u>50. (OF ONLY):</u> _____ _____ _____ _____	
15. Items intentionally left blank.		
16. INDICATE WITH "X" IF THESE PARTS ARE INCLUDED IN THIS TENDER:    SECTION D _____ ; SECTION D-1 _____ ; SECTION E _____ ; TABLE E _____ ; TABLE F _____ ; SECTION E-1 _____ ; SECTION F _____ ; [APPENDIX A _____ : (RAIL ONLY)]; SECTION G _____ ; SECTION J X (GUARANTEED TRAFFIC ONLY); SECTION K X (GUARANTEED TRAFFIC ONLY)		
17. TENDER DISTRIBUTION:    LESS THAN 10,000 POUNDS    10,000 POUNDS OR GREATER ("X" AS APPROPRIATE). LESS LOAD    X    LOAD    ANY QUANTITY		



DEPARTMENT OF DEFENSE STANDARD TENDER OF FREIGHT SERVICES

Solicitation ID: 005439

Tender ID: 0001

→ SCAC: \_\_\_\_\_  
→ TENDR/SUPP: \_\_\_\_\_ 00

SECTION B. GENERAL TERMS AND CONDITIONS

**a. Lawful Performance:** Operation Authorities: The carrier(s) represent(s) to the United States that the services provided in this tender will be performed in accordance with applicable Federal, state and municipal laws and regulations and the carrier(s) hold(s) a certificate or permit authorizing the service tendered. The carrier(s) further represent(s) to the United States that, as of the date filed, it (they) is (are) not disqualified from participating in Department of Defense traffic subject to this tender and is (are) not an alter ego for any carrier or person so disqualified. (Misrepresentation may result in criminal penalties pursuant to 18 U.S.C. 1001).

**b. Payment:** Except for shipments described in (3) (4) of Section C, below, the carrier shall bill the United States on Standard Form 1113, Public Voucher for Transportation Charges, appropriately supported. Carrier shall send bills to the "Charges to be billed to" address shown on the face of Standard Form 1103, U.S. Government Bill of Lading.

**c. References:** Where reference is made in this tender to an item, tender, tariff or classification, the reference shall be construed to include the supplements, amendments, or releases of that item, tender, tariff or classification, unless otherwise specified in this tender.

**d. Cancellation or Amendment of Tender:** This tender may be cancelled or amended by the carrier(s) only on written notice of not less than thirty calendar days (computed from the day of receipt by WPMC) except for shipments made from the original point of origin (or port of importation, where appropriate) before the effective date of the notice and except for any accrued rights and liabilities of either party to the tender. Cancellations or amendments may be made upon shorter notice by mutual agreement between the Government and the carrier(s) concerned. WPMC shall also have the right to withdraw tenders of carriers removed for default, or disqualified for unsatisfactory performances or other actions or causes as described in WPMC Regulation 15-1, Procedure for Disqualifying and Placing Carriers in Remorse, and WPMC Rules Publications.

**e. Alternations and Volume of Traffic:** (Not applicable to WPMC guaranteed traffic tenders) Except as provided in Item 50, of the applicable Military Freight Traffic Rules Publication, this tender shall not apply where charges for service provided under this tender exceed charges otherwise applicable for the same service in tenders filed with WPMC. Receipt and acceptance of this tender by the Government shall not be considered as a guarantee to the carrier of a particular volume of traffic described in this tender. WPMC also reserves the right to rates in carrier's individual tariffs and/or applicable rate bureau publications if lesser charges otherwise applicable for the same service will result.

**f. Signature(s) of Party(ies) Representing Carrier(s):** By offering rates for services to the United States Government, the undersigned carrier official certifies the understanding and continued compliance with the previously executed Certification of Independent Pricing, which is incorporated hereto by reference. The executed Certification of Independent Pricing is on file in the carrier's qualification file as an attachment to the carrier's tender of service.

**g. Governing Publications:** WPMR 50

**h. Combination/Proportional Rates:** (Please "x" in appropriate box)

- ☐ The rates and charges in this tender may be used as factors in the construction of any combination of through rates, charges or other provisions.
- ☒ The rates and charges in this tender may not be used in construction of combination rates and charges.
- ☐ The rates in this tender may be used as proportional rates only.

SECTION C. CARRIER'S OFFER AND INSTRUCTIONS

I am authorized to and offer on a continuing basis to the U.S. Department of Defense (meaning any Service or Agency which is part of the Department of Defense), the transportation services described in this tender, including the carriage of foreign military sales material, subject to the rates, terms and conditions stated in this tender.

I hereby certify that all participating carriers have also agreed to be bound by the provisions of this tender. The property to which rates apply must be shipped by or for the Government (1) on Government bills of lading; (2) on commercial bills of lading endorsed to show that such bills of lading are to be exchanged for Government bills of lading at destination or converted to Government bills of lading after delivery to the consignee; (3) on commercial bills of lading showing that the Government is either the consignor or the consignee and endorsed with the following legend: "Transportation under this tender is for the U.S. Department of Defense, and the actual total transportation charges paid to the carrier(s) by the consignor or consignee are to be reimbursed by the Government," according to Contract No. \_\_\_\_\_ This may be confirmed by contacting the Agency at \_\_\_\_\_

AUTHORIZED SIGNATURE

→ Issuing Carrier:

→ For questions concerning tender development, telephone:

→ By (Signature and Title of Authorized Officer or Agent):

→ Address:

→ Date:

DEPARTMENT OF DEFENSE STANDARD TENDER OF FREIGHT SERVICES

Solicit ID: 005439 DFSP CRANEY ISLAND, VA, TO COAS ELIZABETH CITY, NC  
Tender ID: 0001 DFSP CRANEY ISL., VA, TO COAS ELIZABETH CITY, NC

→ HCAC: \_\_\_\_\_  
→ TMDA/ROFF: \_\_\_\_\_  
D0

SECTION 3. GUARANTEED TRAFFIC RATES

TABLE ID: 001

TERRITORIAL DESCR: DFSP CRANEY ISL., VA, TO COAS ELIZABETH CITY, NC

MATRIX DESCRIPTION: DFSP CRANEY ISLAND, VA, TO COAS ELIZABETH CITY, NC

MATRIX TYPE: 2 Single rate per minimum

RATE QUALIFIER: PG Dollars and Cents Per Gallon

3 (a) SECTION DESCRIPTION

3 (c) TERRITORY DESCRIPTION

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3 (b) EQUIPMENT

EQUIPMENT DESCRIPTION

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3 (a) MATRIX #2 - SINGLE RATE PER MINIMUM

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## CERTIFICATION OF INDEPENDENT PRICING

A. For the purpose of inducing the United States to accept these tendered rates or fares, the undersigned declares, with the understanding that a false statement is a violation of law subject to criminal and civil penalties, that the following is true:

1. The rates or fares in this tender have been arrived at independently and, except as described in paragraph B, below, there has been no communication, agreement, understanding, collusion, or any other action in respect to these rates or fares, with any carrier, competitor or agent thereof.

2. Except as described in paragraph B, below, the rates or fares or other related information submitted in this tender have not and will not be disclosed directly or indirectly to any other carrier, competitor, or agent thereof. A carrier may disclose the rates or fares or other related information submitted in this tender only after public disclosure of this tender by a Government agency with which it is filed.

3. No action has been or will be taken, and no agreement or understanding has been or will be made, with any other carrier, competitor, or agent thereof to:

- (a) submit or not to submit rates or fares; or
- (b) change, cancel, or withdraw rates or fares; or
- (c) file the same or prearranged rates or fares; or
- (d) restrict competition for United States Government traffic by any means or device.

B. It is understood that this certification does not prohibit discussions concerning this tender between a freight forwarder and its underlying carriers, between a carrier or freight forwarder and its agents providing underlying transportation service or equipment, or between or among interline carriers jointly participating in this tender.

It is also understood

that this certification does not prohibit discussions concerning this tender between commonly owned companies (carriers or freight forwarders) if the common ownership has been previously disclosed in writing to the Military Traffic Management Command. Further, this certification does not prohibit discussions concerning this tender between a carrier and its rate filing agents or consultants, provided that the carrier has instructed in writing such agents or consultants to preserve the confidentiality of such discussions.

C. The undersigned further certifies that (enter initials next to subparagraph 1 or 2 below, as applicable):

[ ] 1. I am responsible for determining the rates or fares being offered in this tender; that I have been authorized, in writing, to sign this certificate on behalf of the carrier; that I have not participated and will not participate in any action contrary to subparagraphs A(1) through A(3) above; and, that I have no knowledge that any other person has taken such action; OR

[ ] 2. I am an authorized agent for the carrier; that I have not personally participated, and will not participate, in any action contrary to subparagraphs A(1) through A(3) above; that as an agent I have been authorized, in writing, to

certify, and do hereby certify, that the following principals have not participated in any action contrary to subparagraphs A(1) through A(3) above:

<u>Name &amp; Title</u>	<u>Organization</u>
_____	_____
_____	_____
_____	_____

(Type or print name and position title of person(s) in the carrier's organization responsible for determining the rates or fares offered in this tender.)

3. This certification applies to any medium used for the offering of the rates or fares, to include paper and any type of electronic or magnetic media such as magnetic tapes, floppy disks, CD ROM, or Electronic Data Interchange.

Signature: \_\_\_\_\_

Print or type name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

(Revised 16 Jul 91)